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PATENT

ATTORNEY DOCKET NO.: 046601-5053

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Masayoshi OKURA, et al.

Application No.: 09/613,742

Filed: July 11, 2000

For: ROTARY DEFLECTOR, OPTICAL
SCANNING UNIT AND IMAGE
FORMING APPARATUS

Group Art Unit: 2872

Examiner: J. PHAN

Mail Stop: AF

Commissioner for Patents
Washington, DC 20231

Sir:

**NOTICE OF APPEAL TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES**

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Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Final Office Action rejection dated November 4, 2002, rejecting claims 1-4, 9 and 12.

1. Extension of Time

- [x] Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
[] one month	\$ 110.00	\$ 55.00
[] two months	\$ 410.00	\$205.00
[x] three months	\$ 930.00	\$465.00
[] four months	\$ 1,970.00	\$985.00

- [x] The Commissioner is authorized to charge the amount of \$930.00 for a three-month extension of time fee to Deposit Account No. 50-0310.

05/06/2003 JADD01 1000000000 500310 09613742

01 FC:1253 930.00 CH
02 FC:1401 320.00 CH

2. Notice of Appeal Fee - 37 C.F.R. § 1.17(b)

[x] The Commissioner is authorized to charge the amount of \$320.00 for the notice of appeal fee to Deposit Account No. 50-0310.

3. Fee Totals

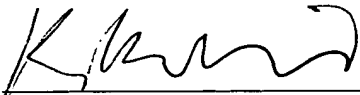
[x] Please charge Deposit Account No. 50-0310 the total amount of \$1,250.00 (\$320.00 for Notice of Appeal and \$930.00 for three-month extension of time).

4. Constructive Petition

[x] **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 
K. Karen Loewenstein
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Dated: May 5, 2003

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